
S-4243
MCCARTY PLACE MINOR SUBDIVISION
Minor-Sketch Plan

STAFF REPORT
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REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner and property owner, Consolidated Lots, LLC by member, Mike Sandry and represented by surveyor, Robert Grove, is seeking primary approval of a two lot subdivision on 3.703 acres, located on the south side of McCarty Lane, approximately 1/3 of a mile east of Sagamore Parkway, in the City of Lafayette, Fairfield 34 (NE) 23-4. The purpose of this request is to provide two existing principal use buildings with their own individual lots.

AREA ZONING PATTERNS:

The property is zoned GB, General Business as is all surrounding land except to the north and east which is zoned I3, Industrial. Staff believes the parent tract is all of petitioner's 3.7 acres plus a portion of land which was used in Lafayette Market Place Subdivision located adjacent to the west and south.

AREA LAND USE PATTERNS:

Lot 1 has an existing multi-family apartment building which was constructed when the UZO permitted multi-family residential uses by right in the GB zone. In 1998 with the adoption of NUZO, this use became nonconforming in that zoning district. Proposed Lot 2 has a small building that has been used in several different ways over the years. Currently it is a single-family residence. This use is also nonconforming in the GB zone.

Several light industrial uses line the north side of McCarty Lane; to the west is the Lafayette 7 Theater. There is a Kmart within Lafayette Market Place to the south, undeveloped land to the east and a single-family residence to the northeast with frontage on McCarty.

TRAFFIC AND TRANSPORTATION:

McCarty Lane is classified as an urban secondary arterial by the *Thoroughfare Plan*. Five additional feet will need to be dedicated to the public in order to meet the 35' half-width right-of-way requirement.

The city is requiring the platting of a "no vehicular access" statement along the frontage of McCarty and 40' around the corner on the private drive easement that leads to Lafayette Market Place Subdivision to the south. This private drive serves as access to both the apartment building and the house on Lot 2. There are currently two curb cuts from the easement serving proposed Lot 1; although only one of them is utilized. There

is currently no direct access for proposed Lot 2. Petitioner must get permission from the easement property owner for access to this lot or create an access easement on the existing driveway in favor of Lot 2.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

The apartments and the existing residence are already served by city utilities. No changes are currently planned.

Because the proposed lot line will divide the existing detention basin, a drainage easement needs to be platted around the whole basin. The city is requiring a covenant on the final plat that indicates who will be responsible for maintenance of the drainage basin.

CONFORMANCE WITH UZO REQUIREMENTS:

Setbacks shown are correct; lot width and area are sufficient to meet ordinance standards. There is a 15' wide bufferyard required where GB-zoned land abuts a residential use; however at this point petitioner has no plans to redevelop this site, or change the use of these lots, so no bufferyard is necessary.

STAFF RECOMMENDATION:

Conditional primary approval, contingent on the following:

A. Conditions

FINAL PLAT – The following items shall be part of the Secondary Application and Final Plat approval:

1. A "No Vehicular Access" statement shall be platted along the McCarty Lane right-of-way line and extending 40' south of the McCarty Lane frontage along the private driveway easement.
2. If there is a mortgage on this property, a recorded partial release or written acknowledgment from the mortgage company must be obtained in order to dedicate the necessary right-of-way.
3. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
4. All required building setbacks shall be platted.
5. The street addresses and County Auditor's Key Number shall be shown.
6. If not already granted, permission shall be obtained from the owner of the private drive for access to proposed Lot 2 or an ingress-egress easement shall be created granting Lot 2 the use of the existing driveway located on Lot 1.

SUBDIVISION COVENANTS – The following items shall be part of the subdivision covenants:

7. The "No Vehicular Access" restriction shall be made enforceable by the Area Plan Commission and irrevocable by the lot owners.
8. The responsibility for the future maintenance on the existing detention basin shall be shown.